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mjhUNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

DAVID KEBE

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Petitioner, : 1:CV-00-1883

:

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(Judge Kane)

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IMMIGRATION AND NATURALIZATION :
SERVICE :
Respondent :
:

FILED
HARRISBURG, PA

FEB 12 2002

MARY E. D'ANDREA, CLERK
Per GJSMOTION FOR ENLARGEMENT OF TIME

COMES NOW, the United States of America, by its attorneys, Martin C. Carlson, United States Attorney for the Middle District of Pennsylvania and Mary Catherine Frye, Assistant United States Attorney, who files this Motion for Enlargement of Time and, in support thereof, respectfully represents to the Court the following facts:

1. On August 2, 2001, the petitioner filed a Motion for Relief from Judgment.
2. On September 10, 2001, respondent filed a Brief in opposition to Petitioner's Motion.
3. On January 23, 2002, the Court issued an Order directing Respondent to complete a review of Petitioner's case as provided for in its interim procedures or to submit a supplemental brief concerning the likelihood of Petitioner's removal in the foreseeable future.
4. The USAO has been advised that the Immigration and

Naturalization Service (INS) is in the process of securing relevant information that will determine whether or not Petitioner will be removed in the foreseeable future.

5. The respondent cannot file a meaningful response to the Petition without the provision by the INS of the relevant information from Petitioner's file.

6. The respondent requests this Honorable Court to grant an extension of ten (10) days in order to obtain said information, and address the issues raised by the Court. 7.

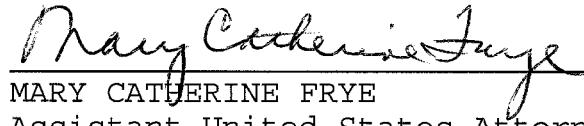
The undersigned did not seek petitioner's concurrence because petitioner currently is incarcerated and is proceeding pro se.

8. The petitioner's claim will not be prejudiced by this short continuance.

WHEREFORE, it respectfully requested that the Court grant a ten (10) day extension of time to respond to this petition.

Respectfully submitted,

MARTIN C. CARLSON
United States Attorney


MARY CATHERINE FRYE
Assistant United States Attorney

NATHANAEL J. BYERLY
PARALEGAL SPECIALIST
P.O. Box 11754
Harrisburg, PA 17108-1754
(717) 221-4482

Date: February 12, 2002

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

DAVID KEBE	:	
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IMMIGRATION AND NATURALIZATION SERVICE	:	
	:	
	:	
Respondent	:	

CERTIFICATE OF SERVICE

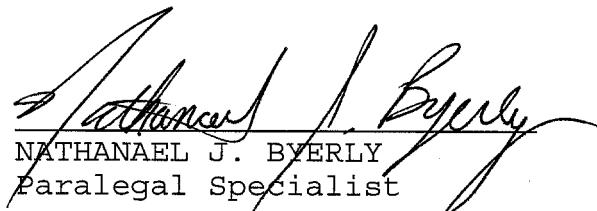
The undersigned hereby certifies that he is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers.

That this 12th day of February, 2002 he served a copy of the attached

MOTION FOR ENLARGEMENT OF TIME

by placing said copy in a postpaid envelope addressed to the person(s) hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Harrisburg, Pennsylvania.

ADDRESSEE(S) :
David Kebe
Carbon County Correctional Facility
331 Broad St.
Nesquehoning, PA 18240


NATHANAEL J. BYERLY
Paralegal Specialist